

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KEWAZINGA CORPORATION,	:	
	:	
Plaintiff,	:	20 Civ. 1106 (LGS)
	:	
-against-	:	<u>ORDER</u>
	:	
GOOGLE LLC,	:	
Defendant.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, the parties each filed a pre-motion letter regarding an anticipated motion for summary judgment on September 7, 2022. The parties filed responses to each other's letters on September 14, 2022. A conference was held regarding these letters on September 21, 2022.

WHEREAS, the parties participated in settlement discussions before Magistrate Judge Gorenstein but were unable to resolve the case.

WHEREAS, on November 22, 2022, the parties filed a joint letter proposing a briefing schedule for their cross-motions for summary judgment. The letter included a proposal from Plaintiff that Defendant be directed to brief one of its anticipated *Daubert* motions, regarding Plaintiff's damages expert, in parallel with the cross-motions for summary judgment. Defendant opposes this request. It is hereby

ORDERED that the parties' cross-motions for summary judgment will be briefed as follows:

- By **December 22, 2022**, Defendant shall file its motion for summary judgment;
- By **February 2, 2023**, Plaintiff shall file its opposition to Defendant's motion for summary judgment and any cross-motion for summary judgment;
- By **February 23, 2023**, Defendant shall file its reply in support of its motion for summary judgment and any opposition to Plaintiff's motion for summary

judgment; and

- By **March 16, 2023**, Plaintiff shall file its reply in support of its cross-motion for summary judgment.

Each party is limited to fifty (50) pages of briefing in total, which they may allocate as they wish among their respective memoranda of law. It is further

ORDERED that the parties each may file a maximum of 225 pages of exhibits in support of its motion or in opposition to the opposing party's motion, regardless of the total number of exhibits. Any relevant or cited portions of an expert report shall be included as an exhibit. Any party that files portions of an expert report or deposition as an exhibit shall provide the Court with an electronic, text-searchable courtesy copy of the entire document. This courtesy copy will not count against the page limit. The parties shall email

Schofield_NYSDChambers@nysd.uscourts.gov requesting a link to upload such a courtesy copy.

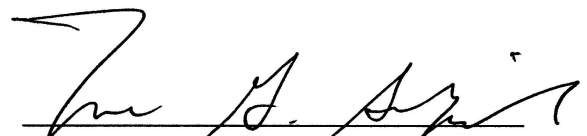
The parties shall otherwise comply with the Court's Individual Rules regarding motions. It is further

ORDERED that Defendant shall brief its anticipated motion to exclude expert testimony from Plaintiff's damages expert, Michele Riley, concurrently with the cross-motions for summary judgment, as follows:

- By **February 2, 2023**, Defendant shall file any motion to exclude such testimony;
- By **March 2, 2023**, Plaintiff shall file any opposition to the motion.

The memoranda of law filed in support of or in opposition to the motion shall not exceed fifteen (15) pages.

Dated: November 28, 2022
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE